

**UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF GUAM**

UNITED STATES OF AMERICA)	CRIMINAL CASE NO. 07-00033-001
)	
Plaintiff,)	
)	
vs.)	DECLARATION IN SUPPORT
)	OF PETITION
JASON MICHAEL SALAS)	
)	
Defendant.)	
_____)	

Re: Violation Report; Request for Summons.

I, Grace D. Flores, am the U.S. Probation Officer assigned to cover the Initial Appearance and assist with the placement of home confinement with electronic monitoring for Jason M. Salas, and in that capacity declare as follows:

On April 6, 2007, Jason M. Salas made an initial appearance before Magistrate Judge Joaquin V. E. Manibusan Jr. on an Indictment charging him with Counts I and II: Within Special Maritime and Territorial Jurisdiction, in violation of 18 U.S.C. §§661 and 7(3) & 2; and Count III: Criminal Mischief, in violation of 9 GCA §34.50(d) and 18 U.S.C. §§2, 7(3), and 13; and Count IV and V: Entering Military, Naval, or Coast Guard Property, in violation of 18 U.S.C. §1382. Mr. Salas was granted pretrial release with conditions. Trial was set for June 6, 2007. Mr. Salas is alleged to have violated the following conditions of release:

Special Condition: *Participate in one of the following home confinement program components and abide by all the requirements of the program which will include electronic monitoring or other location verification system. You shall pay all or part of the cost of the program based upon your ability to pay as determined by the pretrial services office or supervising officer. Home incarceration. You are restricted to to your residence at all times except for medical needs or treatment, religious services, and court appearances pre-approved by the pretrial services or supervising officer. (18 U.S.C. § 3142(c)(B)(xiv)).*

At the Initial Appearance, the Court ordered Jason Salas release to home confinement with electronic monitoring without the benefit of a prior home assessment. The undersigned officer inquired about the home to ascertain if the home would be suitable for the equipment. Based on inquiries, it was represented that the home was suitable for home confinement with electronic monitoring.

DECLARATION IN SUPPORT OF PETITION

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Immediately after the hearing, the defendant and his family members informed this Officer and U.S. Probation Officer Specialist Christopher J. Duenas that the subscriber of the telephone lives off-island and does not reside at the residence. The defendant and his family members were encouraged to contact the subscriber for authorization, and instructed to contact GTA to remove the special features of the telephone. The defendant's father informed that he was unable to remove the special features as the telephone company was closed.

On April 6, 2007, the electronic monitoring equipment was installed at the defendant's residence, however, there was interference with the telephone line due to the special features. The defendant's family was encouraged to contact the telephone company at their secondary location which was opened until 8:00 p.m. Later that evening, the defendant's mother informed that GTA needed a court order to remove the special features from the telephone. She was encouraged to contact the subscriber of the telephone to obtain authorization to act on her behalf.

On April 9, 2007, the defendant was informed that if he is unable to remove the special features from the telephone by the end of the day a report would be submitted to the Court as the telephone's special features interfered with the electronic monitoring equipment.

Recommendation: It is requested that a summons be issued, and that this matter be set for a hearing, and at that hearing, the defendant be held to answer or show cause why bail should not be revoked or why conditions of release should not be modified, or for any other matter for which the Court may deem just and proper.

I declare, under penalty of perjury, that the foregoing is true and correct, except those matters stated upon information and belief, and as to those matters, I believe them to be true.

Executed this 11th day of April 2007, at Hagatna, Guam, in conformance with the provisions of 28 U.S.C. § 1746.

Respectfully submitted,

FRANK MICHAEL CRUZ
Chief U.S. Probation Officer

By:  /s/ GRACE D. FLORES
U.S. Probation Officer

Reviewed by:



/s/ ROSSANNA VILLAGOMEZ-AGUON
U.S. Probation Officer
Supervision Unit Leader

cc: Ryan Anderson, SAUSA
John Gorman, FPD
File